

# THE CALCUTTA JOURNAL,

OF

## Politics and General Literature.

VOL. I.]

WEDNESDAY, JANUARY 9, 1822.

[No. 8.]

### MISCELLANEOUS.

—85—

#### Agricultural Relief.

##### OBJECTIONS OF A CORRESPONDENT CONSIDERED.

AURORA BOREALIS.

The public attention now bestowed upon our remarks upon the "Agricultural Relief," and the reduction of the Annuities of the Stockholder, we have not the vanity to think our humble talents were capable of attracting; but to the powerful effect of sovereign truth do we fairly attribute that notice which has exposed us to the attacks of interest on the one hand, and the praises of independence on the other. The tirade of boisterous invective, when destitute of reason, we shall ever treat with silent contempt, its only meet reward; but, where calm argument is used against us, in justice and reason we feel ourselves bound to attend and answer. A highly valued Correspondent of ours, who we sincerely rejoice to say has the good fortune to possess an estate yielding several thousands of still well-paid rents, has favoured us with the following objections to some of our arguments, and which we cannot pass over unnoticed:—"Independent altogether of my connection with land, I must, as an impartial man, enter my protest against many of your doctrines in your 'Claims of the Agriculturists impartially considered.' To make the price of land return to the prices of 1792, I have no objection, but then you must restore every thing to the same situation—diminish the national debt to what it then was, likewise all the taxes, the price of wages, and every thing else, and do away with the effects which you complain of, as occasioned by the extent of the paper currency; but the fact is, with all the additional burdens, coin is at this moment below an average of the last forty years."

Our Correspondent we firmly believe to be as impartial as he states himself to be, and we know the idea he has is by no means confined to him alone; yet we cannot help thinking, when we find sensible men of fortune using such arguments, that they have never taken the trouble to investigate the question with care. What in the world has the reduction of the national debt and the reduction of taxation to do with the price of grain? Are they not both the consequences of the French war? The necessity or policy of that war it is not now our object to investigate;—it is a question of debate between the admirers of Charles Fox and Edmund Burke, for we hold Mr. Pitt at the beginning perfectly guiltless; but when Mr. Pitt became the champion of the war, and was cheered by the landed gentlemen in the House, and backed by far the greater proportion out of it, what can be more clear than that the expence of that war was to fall upon those who held permanent property in the kingdom? If the land-holders tell us they did not intend this, we shall be inclined to withdraw from them the partial praises we have in candor bestowed. We cannot surely so far insult their common-sense as to think they ever imagined that paying the interest of the national debt during the war was all they had to do! In what sort of light would a private spendthrift appear who, having paid his creditor a few years interest of the money he had borrowed for the purpose of indulging in any extravagant whim, should think he had done enough, and tell his creditor that some neighbour must pay the rest, capital and interest? Would not the creditor, and every other person who heard him be likely to apply some name not very creditable to his understanding? Now let us, in candor say what greater

degree of folly attaches to the private spendthrift than does to that body of the land-owners who supported Mr. Pitt, and now say reduce taxation as well as prices. We should be sorry to set themselves up in judgement against their own arguments, were we not convinced that they have been completely misled by sophistical reasonings, which they have not duly considered.

The Landholders, or at least those who appear in Parliament as their organs, are surely well enough informed to know that the capitalist and the merchant are "birds of passage," and never consider their property as a part of any particular state, and to land and buildings only can the creditors of a state look for payment. If the commercial prosperity of a nation be such as to induce a great body of traders to settle in it, during that time the land owner may, by dexterous management in taxation, oblige the manufacturer and trader to pay a part of the national expence; but if, by raising the price of corn, or in any other way giving an unfair chance to the settler, in comparison with those who have settled in other states, they must look to the inevitable consequence, viz. losing their mercantile community. Such would be the effect were the legislature to grant the requests which we shall soon, most probably hear have emanated from the sapient majority of the Corn Committee now pursuing its labours; but, in making this observation, we are deviating from our present subject: We have often heard the landholders, with their hands on their hearts, appeal most pathetically to the House, that they wished not to do an injury to the other classes of the community. We are bound in honour to believe them sincere; but their sincerity signifies nothing, if their judgements are built on erroneous data. We have done what in us lies to open their eyes, by plain common sense; if in the hurry of writing we have now or formerly used too warm expressions, we only ask for the same indulgence which is ever granted to the heat of debate, and we beg our gentle Readers to think that we have to plead in addition that we are beset with the representative of the arch-enemy of mankind in the person of a printer's devil, waiting at our elbow for the uncouth slips, as fast as they can fall from our pen. We have said much to reason, let us now, by one word, appeal to honor:—Gentlemen, you have acknowledged the debt;—you have even now, in cant terms, called it the "price of the pacification of Europe;" is it honorable, is it according with your usual practice, to make objection when the bill is presented for payment?

The other observations of our highly-esteemed Correspondent do not require from us any extended explanation:—that the price of labour will fall according to the demand for it in the market, we are sure it is not necessary for us to state, and for all that has been said about the pay of post-boys and other appendages of luxury we can by no means allow such to be any valid argument on the question. Let the honorable Member who advances such arguments to the House only direct his broker to pay his post-boys: let the broker try the rival inns upon the road, as he would do the rival holders of any article he wanted to buy, and the honorable gentleman will soon find he can be freighted forward at "time's prices," as well as either sugar or tobacco. The price a person may pay when travelling, is no criterion of value; it may regulate the rate of speed at which he is to be driven by the post-boys, may augment the number of cracks of the whip at the arrival at a stage, and the countersign given from one post-boy to another, may stamp the rank of the traveller, and it is not to be forgotten that even in the days of Sterne, "My Lord

*Anglais;*" was worth another *sou*; but we cannot admit that the price of rank is a fair criterion of value.

As to the extent of the paper currency, we do not at all see how it can ever have the most remote bearing upon the question we are now arguing. The debt was no doubt contracted in a depreciated currency, and perhaps many of the landholders were not aware of that at the time, but we suspect the loan-contractors very well knew of it, and if the credit of the nation was so far reduced during the war as to oblige the Chancellor of the Exchequer to sell an annuity of £3 for £60 sterling, if this £60 was at the time worth no more than 15s. per £1, had a one pound note been worth 20s. the Right Honorable Gentleman would have only been able to get £45 for his annuity of £3, technically called "a hundred 3 per cents." But this proves no more than that the credit of the nation was not so good then as it is now; or, in other words, that the mortgage which the landholder and house-proprietor gave through their privileged attorney in Downing-street, was not considered so valid while Bonaparte was in France, and might have some distant chance of making the possessors of land in England, sing with the Mantuan Muse,

*"Nos patria fines et dulcia linquimus arva;  
"Nos patriam fugimus," &c.*

as it now is, when the arch disturber of established order is confined in his sea-girt residence. It is a serious apparent evil, we are ready to allow; and as the inability of the manufacturing community to pay any portion of the debt is now, we believe, completely established, it certainly adds to the visible load which presses with such palsying power upon the holders of permanent property in the country, and might be agitated, doubtless with great propriety in an argument as to the ultimate possibility of the permanent property of the United Kingdoms being equal to pay the debt contracted; but no argument, however, can possibly be more completely unconnected with the policy of placing a restrictive duty on the importation of foreign corn. Having endeavoured to answer the objections of our Correspondent, we are aware that it may be said, what is to be done? The agriculturists cannot pay the taxes in their present distressed state, and the capitalist, by the existing taxes, is not sufficiently got at. Whose fault is this, gentlemen? Ministers wished to retain the property-tax, the only one which did directly bear upon the capitalist; and you would not allow it. For the Whigs such votes were perfectly consistent: their leaders have since the days of Mr. Fox, avowed it as their systematic plan to attack Ministers by every species of detached warfare, and thus sprinkle a sort of opposition "cow-itch" in the ministerial "bed of roses." But what palliation can be offered for you Tory independent country gentlemen; you never complained of the conduct of the Ministers—you sung to the "Pilot that weather'd the storm" in full chorus, and voted lustily to borrow money and carry on the war while danger existed; but you had scarcely got Bonaparte safely in "durance vile," when your fears and your justice seem to have taken wing together, and you now say (for, take all the argumentative metaphysical farrago of the Palace-yard club together, it amounts to nothing less) that as the loan-contractors made too good a bargain with you in the days of alarm, the widows and orphans who have bought from the loan-contractors, must make up your losses; or that the already half-starved manufacturer must pinch his stomach, so much more as to pay the difference by three farthings added to his penny loaf. *O tempora, O mores!*

*Modern Greeks.*—However much the modern Greeks may have lost respect among our classic Readers, who have, in the extacy of youthful feelings, hung with delight over the mighty deeds of the warrior and statesman of a former day, yet the present attempt to shake off the yoke of their oppressors, who join the incongruous attributes of cruelty and effeminacy, cannot well fail to excite a pleasing feeling—but we fear much this is all we can say for it, and even though it has been more than surmised that a great Northern potentate is playing a little the coquette, and like Mr. Sheridan's holiday spark,

*"With his off-heel, insidiously aside,  
Provokes the caper which he seems to chide,"*

yet the public do not, by any means, appear to augur much good from the assistance of the autocrat to the suffering Greeks. In fact, the junction of Poland to the already overgrown Russian Empire, seems to have stamped on Alexander the name of an ambitious and crafty conqueror, in despite of his amiable private character and well-known mediocrity of talent; and, therefore, any assistance which he may politically give to the Greeks, is looked upon as little more than removing them from a Turkish slavery to a Russian vassalage: while the calculating statesmen of the old school fear the appearance of a Russian fleet in the Mediterranean, and already, in anticipation, view the continent of Europe girded by a cordon of barbed cossacks on the back, while the fair shores of Italy are beset with Scandinavian sails, and thus,

*"O viliis Europa!"*

foresees a blacker rape in embryo for your terrestrial virginity, than the Augustan Poet tells us the incontinent God inflicted on the fair nymph that gave the name.

*Affairs of Spain.*—The news from Spain, in the French papers furnish us with additional particulars as to the war of extermination carried on by the infamous Priest Merino and the Empecinado. The worthy Ecclesiastic writes with the utmost coolness to the Commandant of the small detachment of the regiment of Catalonia at Tordueles, whom with his brave men, he afterwards butchered in cold blood:—

"It is infinitely painful to me, Monsieur le Commandant, to see Spanish blood shed, and to do things contrary to religion. (Here's a Parson!) I summon you in consequence, to surrender at discretion. You ought to know, above all things, how the other prisoners have been treated. Reply with the shortest delay." This precious epistle is signed "Jerome Merino."

The following is the reply of the brave, but unfortunate Commander of the detachment:—"I can tell you, that like yourself, I regret exceedingly to see the blood of my fellow-countrymen shed; and that I believe myself to be at least as good a Christian as you, or those who accompany you, and who besiege me. As to what you say to me about laying down my arms, it suffices that I tell you they have been confided to me by the nation; that I must account to it for them, and that above all it shall not be to such a rabble (*canailles*) that I shall surrender them while there remains one drop of blood in my veins." When their ammunition was expended, this gallant band defended themselves with the bayonet, until overpowered by numbers, they were compelled to surrender; and then this Christian Priest (it was and ever will be so when the Church becomes militant) absolved them from all further communication with this world, without even saying,

*"Of all their sins let them be shriven,*

*"To smooth their path from Earth to Heaven."*

On the receipt of this dreadful intelligence the Empecinado wrote the wretch the following letter:—"The deed which you have committed on the 26th of May, on the National Volunteers of Catalonia, has filled me with horror, as well as the troops whom I have the honour to command. That action, worthy of you and of your infamous Satellites, has crowned the work, and has given to the whole nation a proof of the cruelty and baseness of your disposition. As a single drop of the blood of the unfortunate Catalonians whom you caused to be shot, is better than that of all the criminal wretches of your faction, and though you know not the whole extent of the crime which you have committed against all human and social rights, still I cannot abstain from informing you, that if you persist in committing anew such shameful assassinations, the wives, the children, the fathers, the mothers, the brothers and relations of each of the unfortunate beings of your criminal banditti shall experience the same fate, as well as all those rebels who shall fall into my hands, and that, besides, the death of a single true Spaniard shall be atoned for by that of ten of your scandalous party."

When the sentence of death was announced to General Elío, he replied with much coolness, and in a manner worthy of a better life, "I expected to have lived 15 years longer; but it seems I deceived myself!"—*Aurora Borealis.*



1818 AND 1822.

Past and Future Dialogues

BETWEEN A NORFOLK LANDLORD & ONE OF HIS TENANTS.

1818.

*The Tenant enters, bowing—The Landlord inclines his head, without rising from his chair.*

**Landlord.**—Oh! Mr. S. I told my Steward to order you to come, that I might speak to you. I have been informed that you have talked of voting for Mr. Coke at the approaching election, if there should be a contest for the county. Is this true, Sir?

**Tenant.**—Why, your Honour, I may have said that I thought Mr. Coke would be a better Member for us than Mr. Wodehouse, because he is for Parliamentary Reform, and that I should like to vote for him.

**Landlord.**—Oh! you did, did you; though you knew that I had declared my determination to turn every tenant out of his farm who voted for Mr. Coke; so, my Steward will immediately serve you with a notice to quit.

**Tenant.**—I hope your honour will not be hard with me. My father and I have been upon the farm for more than 70 years; and I should be sorry to leave it for a trifle. I have always paid my rent regularly, and I shall be hardly put to it to maintain my wife and children if I go out. I hope your Honour will consider me.

**Landlord.**—A trifle do you call it? Has not Mr. Coke always opposed the Ministers, who have raised this country to the highest pitch of glory, and have brought it to its present unexampled state of happiness and prosperity? Mr. Coke is little better than that fellow Sir Francis Burdett, who is a Demagogue and a Jacobin and a Leveller, and deserves to be hanged.

**Tenant.**—I humbly beg your Honour's pardon; and—

**Landlord.**—I have no time to hear you now, for I am just going to call upon Lord—; but (ringing the bell) go to my Steward, to whom I have given my orders respecting you. You know my mind; and, unless you satisfy him about your vote you shall go out.—(To the Servant, who enters)—Robinson, order Watson to bring round the landon: did you tell him to put the blood-horse I bought yesterday as near leader? Harry and George are to ride Thunderbolt and Whisky.

**Servant.**—Yes, Sir.

**Tenant.**—(As he is going out)—I must not distress my wife and children; so I must promise to vote for Mr. Wodehouse. But (muttering) times may change. Well, if they do—I say nothing—but I'll remember this.

1822.

*Tenant enters—His Landlord is sitting pensively in his arm chair—He rises, and advances towards the Tenant.*

**Landlord.**—I am glad to see you, Mr. S. (To the Servant) Thomas, set a chair for Mr. S. (To the Tenant). How do Mrs. S. and the children?

**Tenant.**—Pretty well, thank you, Sir; but my wife takes on sadly at the badness of the times and says she is sure we shall all be ruined, for she cannot get more than 38 shillings a firkin for her butter; and for my part I do not see how we are to go on paying such a load of taxes. Why, Sir, I have not made more than 26 shillings a coomb of my best wheat; and the butcher will not give more than five pence a pound for my sheep and bullocks.

**Landlord.**—(with a sorrowful countenance)—Oh! Mr. S., don't be cast down; times will mend and all will go well.

**Tenant.**—I cannot hold my farm any longer; I mean to give it up at Michaelmas.

**Landlord.**—Oh! don't say so Mr. S. I should be sorry to part with you, and very unwilling to look out for another tenant.

**Tenant.**—Why, Sir, I was born in the place, and have been so long in it that I am main loth to quit it, and would therefore give more for it than any other man; but if I do stay, I must have an abatement of rent.

**Landlord.**—(with great agitation).—An abatement of rent, Mr. S. Why you never paid me more than 400l.; and last year I threw you off 200l. What more can you want?

**Tenant.**—Why, Sir, you must take the poor rates upon yourself.

**Landlord.**—Impossible Mr. S.

**Tenant.**—Very well, Sir, Then it is impossible for me to hold the farm, (getting up). Good morning, Sir.

**Landlord.**—Don't be in such a hurry Mr. S.

**Landlord.**—Rather than part with you, I will make a great sacrifice, and agree to pay the poor rates.

**Tenant.**—Very well, Sir; and to oblige you, I will see if I can keep the farm one year more upon those terms. I have not seen you, Sir, our way lately: I often admired your fine carriage, and those four hand-

some bay horses you used to drive, and the two beautiful blood horses your servants used to ride—Have you got the same still?

**Landlord.**—(biting his lips).—No—No—I have sold them. Two of the horses fell so lame, I could not get them out of the stable;—so to avoid the plague of farriers, and the devil knows what, I sold them all off.

**Tenant.**—But you must miss them very much.

**Landlord.**—Not at all—not at all—I have taken to riding a poney; and I think riding exercise is better for me than driving so much as I did.

**Tenant.**—Do you wish to say any thing more to me, Sir?

**Landlord.**—Nothing more, Mr. S. I consider that you agree to keep the farm another year upon the terms proposed.

**Tenant.**—I did not quite say that; but, however, to oblige you, I will agree to keep it upon one condition.

**Landlord.**—What is that?

**Tenant.**—Why, Sir, I have many times obliged you with my vote, when you requested it. Now, I think, one good turn deserves another;—so I hope you will vote at the next election for Mr. Coke and Mr.— (Landlord starts, but recovers himself,) whom several of us have agreed to support. It was our intention at one time to set up two Reformers as Candidates; but some of us observed that Mr. Coke had always opposed those men who have brought the country to its present state of distress and misery, and had endeavoured to prevent our being burdened with so many taxes, and that he therefore ought to be supported. Besides Mr. Coke has been an excellent landlord, and therefore though he may not be all we wish we would not do any thing to vex him, especially at such a time as this. But for this we should certainly have determined upon supporting two Reformers.

**Landlord.**—Indeed Mr. S. I cannot conscientiously vote for Mr. Coke and Mr.—

**Tenant.**—You did not, Sir, pay any regard to my conscience, when you compelled me to vote for Mr. Wodehouse. But however just as you please Sir; only I cannot hold the farm unless you promise to vote for these two gentlemen (going) and I know you cannot find another tenant—

**Landlord.**—Stop a moment Mr. S.—Well upon consideration, I will vote for Mr. Coke and Mr.— So now all is settled between us.

**Landlord.**—Good morning to you. (When the door is shut.) This d—d fellow knows he has me in his power, and that I cannot let the land be thrown out of cultivation. This is the end of the measures for re-pressing the spirit of liberty! A tenant tells his landlord that he does him a favour in hiring his farm, and dictates to him how he is to vote. Here have I lost nine-tenths of my income; being obliged to sell my horses and carriages; give up my establishment, drink port instead of claret, and champagne; and listen to the impertinence of that rascal who has just left me. Oh! how Londonderry did talk of the glorious termination of the war—of the pacification of Europe—of the lofty eminence upon which England stood—and God knows how much more stuff of the same kind! I am driven almost to madness.

ANOTHER DIALOGUE

**Landlord.**—How much do you want to carry on the affairs of the nation?

**Budget.**—Fifty or Sixty millions.

**Landlord.**—The dence you do! Can't you do with less?

**Budget.**—Not a single farthing, by—

**Landlord.**—Don't swear! But, let us see. What do you want it all for?

**Budget.**—Why, there are the Fund-lords; and, to pay them their bare interest, demands about 30 millions. And, you know, they lent you the money at your own request.

**Fundlord.**—Aye, and in a period of pressing exigency.

**Budget.**—And for your benefit.

**Fundlord.**—Aye, and without any selfish motive.

**Budget.**—And always upon "terms highly advantageous to you."

**Fundlord.**—Aye, and out of pure love to you.

**Budget.**—And, would you now defraud the widow and orphan.

**Landlord.**—But

**Fundlord.**—Aye, defraud us all of the "fruits of our honest industry!"

**Budget.**—And, then only think of the national honour.

**Fundlord.**—Aye do, do think of the national faith.

**Landlord.**—But, Gentlemen, Gentlemen! You won't hear me speak. I did not talk about touching the fruits of any body's "honest industry."

**Fundlord.**—Aye, I say it again, the "fruits of our honest industry," every farthing of it. Our hard earnings. And it is a shame to think of "robbing us of them."

**Landlord.**—But, if you will but hear me, you will find that I have no intention to rob you, as you call it. I wish you to have your interest to the utmost farthing.

**Fundlord.**—Oa! Dat ish vera vell den!

**Landlord.**—Well, Sir, (turning to Budget) we have 30 out of the 50 or 60 millions. What are the other millions wanted for?

**Budget.**—What! Would you have the King and his family to be beggars?

**Landlord.**—Oh, no! Set down a million for the Civil List.

**Budget.**—There is the Army. Don't you see the necessity of that?

**Landlord.**—Indeed I do not. England did very well for centuries without a single standing soldier. And, as to Colonies, we should be better without them, if they demand the expense of armies in times of peace. I, therefore, see no necessity for any expense on that account, except to pay the pensions of those who have served in the war.

**Budget.**—Nor of the Navy, I suppose!

**Landlord.**—Oh, yes! As large a Navy as during peace in the reign of George the First, to cost about half a million a year.

**Budget.**—Nor of any police, big salaries, great pensions, grants, sinecures, nor of

**Landlord.**—Indeed I do not.

**Budget.**—Nor of any Secret Service money!

**Landlord.**—No faith (shaking his head.)

**Fundlord.**—Nor I!

**Budget.**—Don't you! Then you are a purblind fool, indeed!

**Landlord.**—Well, then, we have got, I think to only 32 or 33 millions. What need is there of the other 25 or 30 millions?

**Budget.**—What need! What! Have you forgotten the Sinking Fund!

**Fundlord.**—Ah! Don't forget de Shinking Fund for de love of Moses! Don't forget de Shinking Fund! Here is my penshil; mark it down.

**Budget.**—Oh! You are alive now, are you?

**Landlord.**—Sinking Fund! Why it has long been called a humbug.

**Fundlord.**—Ah! Tish vera goot thing. T makes the money for me.

**Landlord.**—For you? What have you to do with it? It was intended for our use. If you get your interest, is not that enough for you?

**Fundlord.**—Yes, yes! But den de Shinking Fund makes de principal so goot in de market. Makes it sell so well!

**Landlord.**—What then, not content with your interest for your "hard earnings," but "purely for love of us," you must have besides sums raised upon us annually to be expended in purchases of principal in order to keep up the price of your property!

**Fundlord.**—Yeeah and dat's vera goot.

**Landlord.**—Yes, very good for you; but, where is the justice towards us?

**Fundlord.**—Justice! Why de Justice is de national honour. . . . Mr. Budget will tell you all about dat.

**Budget.**—Not I! You saw no necessity for salaries, pensions, sinecures, grants and secret service money; and I shall leave you to answer for yourself. (Exit Budget.)

**Landlord.**—National honour! Does that require that one set of proprietors should tax the rest of the whole nation to raise money to be laid out in a way to keep at a high price the property of that particular set of proprietors? National folly may yield to it; but national honour never can demand it.

**Fundlord.**—Mr. Pitt, goot Mr. Pitt, "heaven-born Minister," did make de bargain.

**Landlord.**—Bargain indeed! And for whom? You may as well tell me of the bargain that old Rebecca made for poor Esau in behalf of the sleek and crafty Jacob.

**Fundlord.**—Don't abuse Jacob, Sir, in my hearing!

**Landlord.**—Your hearing! It is come to a pretty pass, indeed, when a gentleman is to be silenced by word of command from a fellow that was only the other day carrying an orange basket on his neck.

**Fundlord.**—You a Shentleman! My mortgage runs over every inch of land that you call yours.

**Landlord.**—You lie you rascal! (Kicks him.)

**Fundlord.**—I'll tear you'reysh out! (Flies at him, fastens in his hair, and exeunt in a scuffle.)

#### A POTATOE SCOURER.

On Wednesday week, Thomas Conolly, "a potatoe scourer," as he called himself, was brought into the Police Office, Bow Street, by a posse of parish constables, who charged him with creating a riot in Drury Lane. There were ten or twelve people all fighting together they said, and Mr. Conolly appearing to be the most furious of the combatants, they took him into custody, and then the rest dispersed. Mr. Conolly was without a coat, and his nose, (what little he had of it, for he had evidently lost the greater part somehow or other) was bleeding terribly. The Magistrate asked him what he had to say for himself? "Say for myself! Your honour may well say that; for if I dont say it for myself, nobody else will say it for me. Place your honour I was coming out of the court with a sieve of *potatoes* on my head, when, just at the turn, some creature gives me a big thump o' th' nose, and down goes I, and the *potatoes* a-top of me, your honour; and up I gets and looks about me, but I could'nt see any men, nor nothing at all to do, your honour; so I leathered away at the best of 'em where I could—and would'nt your honour have done the like if you'd had a sieve of *clane potatoes* knocked off your head?" The Magistrate told him he thought not exactly; and giving him a little admonition, he discharged him.

#### Maternal Fondness.

There is a feeling in the mother's breast,  
There is a wish unutter'd, unexpress'd,  
Which, like a secret not to be reveal'd,  
Dwells ever at her heart, in silence seal'd;  
It is that hope of happiness she forms  
For her young offspring: which not all the storms  
Of life, its woes, its sickness, nor its pains,  
Can vanquish, but unchangeable remains;  
It is a mother's hope that still increases  
Till the existence of its object ceases.

#### Contemporary Female Genius.

At no period of our history has Female genius triumphed more than in our own days. At the present time there are living not less than twenty-four ladies of pre-eminent talents as writers, in various departments of literature and philosophy, whose names deserve to be specially enumerated, and whose several works and superior pretensions deserve to be treated at large in your pages. For the present I shall name them as they occur to my mind, and not presume to class them in the order of merit. These brief notices justify me, however, in calling the attention of writers of greater power to the subject.

Mrs. Barbauld, distinguished during fifty years, by her elegant productions in verse and prose.

Mrs. Hannah More, for nearly an equal period, by various moral and controversial writings; not inferior for style and energy of mind to any thing produced by the other sex.

Mrs. Radcliffe, who as a novelist, may be ranked among the first geniuses of the age and country.

Miss Edgeworth, a distinguished writer of novels, moral compositions, and works of education.

Miss Cullen, the amiable and ingenious authoress of *Mornton*, and *Home*, novels distinguished for their benevolent sentiments and spirited composition, honourable alike to her heart and head.

Mrs. Opie, whose various works in verse and prose, are distinguished for their originality, ingenuity, good taste and elegant composition.

Mrs. Inchbald, who as a dramatist and novelist, has produced various works which will ever rank high among the classics of our language.

Miss Hutton, respectable as a novelist, powerful as a general writer, and able as a philosophical geographer, as proved by her recent work on Africa.

Miss H. M. Williams, who though long resident in Paris, may be claimed as an Englishwoman and is an honour to the genius of her country-women in history, politics, eloquence, and poetry.

Mrs. Cappe, a lady whose strength of understanding and powers of diction have led her to grapple with subjects of the highest order, and she has published several works in theology, education, and biography.

Miss Potter, a novelist of the first rank in the powers of eloquent composition, whose *Thaddeus of Warsaw* and other works will long be standards in the language.

Miss Benger, who figures with equal distinction as a novelist, historian, and critic.

Mrs. Grant who has distinguished herself in morals, philosophy and the *Belles Lettres*.

Mrs. Marcet, who has proved her powers of mind in her *Conversations on Natural Philosophy*, &c.

Mrs. Lowry, who writes and lectures with great ability on mineralogy and geology.

Miss Owenson, (Lady Morgan) whose powers of eloquent writing, and moral and political reasoning are not surpassed by any author of her time.

Mrs. Wakefield, compiler of many useful and ingenious works for the use of children and schools.

Mrs. Ibbetson, whose discoveries with the microscope on the *Physiology of Plants*, ranks her high among experimental philosophers.

Miss Herschel, whose ingenuity and industry in astronomical observation, have obtained her a splendid reputation.

Miss Aikin, niece of Mrs. Barbauld, who soaring above productions of mere taste and fancy, has in her *Memoirs of Elizabeth*, proved her powers in history and philosophy.

Mrs. Graham, the able writer of several volumes of travels, which are distinguished for their sound philosophy and enlightened views of society.

M. D'Arplay (Miss Burney) whose *Evelina*, *Cecilia*, *Camilla*, and other novels place her among the first and most original writers of any age.

Miss Baillie's *Plays on the Passions* and other productions are highly esteemed by every person of good taste.

# LITERATURE

—89—

## North Georgia Gazette.

Our readers have already seen several Notices of this Work, which was got up on board the Ships employed in the late Polar Expedition; but as we conceive, that a much better idea may be formed of its merits, from Extracts of the Work itself, than from any vague general description of its contents, we readily embrace the present opportunity of placing before the Indian Public such portions as we have thought most likely to interest them, commencing with the Prospectus of the Paper, with which the Work is introduced.

### PROPOSALS

*For the Establishment of a Newspaper, on board the Ships employed in the Discovery of a North-West Passage.*

It has been suggested that the establishment of a Weekly Newspaper may assist in enlivening the tedious and inactive months of winter. It is in contemplation, therefore, to try the experiment, by circulating the first Number of the "NORTH GEORGIA GAZETTE, AND WINTER CHRONICLE" amongst the Officers of the Expedition, on Monday the 1st of November.

As the design of this Paper is solely to promote good-humour and amusement, Captain Sabine, who has undertaken to be the Editor, will consider himself responsible, that no article whatsoever shall be admitted which, to his knowledge, will give a moment's uneasiness to any individual. He reserves to himself, therefore, a discretionary power of omitting any contributions which may appear to him objectionable, either on that or any other account; and, of either briefly assigning his reasons, or otherwise, as he may think proper.

He begs it however, to be distinctly understood, that he will be wholly dependant on the Gentlemen of the Expedition for the support of the Paper; and, he suggests to those who are well-wishers to the undertaking, that their assistance and exertions will be especially required at its commencement.

Original contributions on any subject will be acceptable. The Sportsman and the Essayist, the Philosopher and the Wit, the Poet and the Plain Matter-of-fact Man, will each find their respective places. It is recommended that an anonymous signature be affixed to each communication, and the hand-writing effectually disguised, to ensure the most rigid impartiality in judging and selecting the articles for insertion. A box will be placed on the Capstan of the *HECLA* to receive them, the key of which will be kept by the Editor; and it is requested that communications, designed to appear in the first Number, may be deposited in the box by the Thursday Evening preceding the Publication.

*Winter Harbour, )  
October 20, 1819. }*

### ARCTIC MISERIES.

Going out in a winter morning for the purpose of taking a walk, and before you have proceeded ten yards from the ship, getting a cold bath in the cook's steep-hole.\*

When on a hunting excursion, and being close to a fine deer, after several attempts to fire, discovering that your piece is neither primed nor loaded, while the animal's four legs are employed in carrying away the body.

Setting out with a piece of new bread in your pocket on a shooting party, and when you feel inclined to eat, having occasion to observe that it is so frozen that your teeth will not penetrate it.

Being called from table by intelligence that a wolf is approaching the vessels, which, on closer inspection, proves to be a dog; on going again below, detecting the cat running off with your dinner.

Returning on board your ship after an evening visit in a contemplative humour, and being roused from a pleasing reverie by the close embrace of a bear.

Sitting down in anticipation of a comfortable breakfast, and finding that the tea, by mistake, is made of salt water.

### OLD COMICAL.

#### ARRANGEMENTS FOR A PLAY.

To chase the dull inactive hours away,  
Resolved *nem. con.* that we should have a play;  
The play is fix'd on—characters all cast,  
Parts learnt, and lo! the first rehearsal past!  
Glum cried—"I will do, but to ensure success,  
You'll ask some friend to write you an address."  
"Eh?" quoth the Manager—"adzoaks, you're right,  
Without a *dress* we're in a pretty plight;  
But who shall write it? many, there's the rub;  
We have no commerce with the street called Grub."

\* A hole in the ice for steeping salt meat, &c.

Strut seemed perplexed, look'd thoughtful, took his snuff  
"Egad, I have it, let us send for Puff!†  
Puff is our man, he'll spin us his heroics,  
And melt the audience, if they are not stoics."  
"You want a Puff?" cries Glum, "that's very true.  
But, Mr. Puff, I tell you, will not do;  
He'd write, no doubt, a mighty pretty story,  
Tell you of England's pride, of England's glory;  
How that her sons advent'rous sallied forth,  
And what's been done in regions thus far North:  
But this, I take it, is too fine by half,  
We want, my friends, something to make us laugh;  
Something to help a lame dog o'er the stile,  
And make our play a tedious hour beguile."  
"Still Puff's our man," cried Strut, "I have no doubt  
"We'll do the thing, and bring all this about;  
For tho' he dabbles high in epic lore,  
He can descend and make the boxes roar;  
Ave, pit and gallery too, for he's a poet  
Of more than common stamp, and you shall know it!"  
Thus, Mr. Editor, the affair was settled,  
Strut was well pleased, and Glum appear'd half nettled;  
While we look forward to the eventful night,  
To prove Glum wrong, the Manager quite right.

Q.

### ADDRESS

*On the opening of the Theatre Royal, North Georgia, Written and spoken by Mr. Wakeham.*

Reposed from war, triumphant in the field  
Where rescu'd Europe's destiny was seal'd;  
No foe to combat on the rolling wave,  
No injur'd monarch that her sword might save,  
'Twas still our much-lov'd country's glorious claim  
To stand pre-eminent, unmatched in fame,  
And in the paths of science yet to find  
The liberal plan to benefit mankind.  
Far in the North an unknown region lay,  
Where growing ice congeal'd the liquid way,  
Yet here it seem'd Columbia's bounding shore,  
Stretch'd westward, heard Pacific Ocean's roar.

Full oft in earlier days, had Britons tried  
To force a passage through the arrested tide,  
But tried in vain, tho' with intrepid skill  
Persisting long, in spite of ev'ry ill.  
By happier fortune led, 'twas ours to prove  
Thus far, uncheck'd by land, the waters rove,  
And ice-encumber'd here to win our way  
'Mid the long sunshine of an arctic day.

But now for coming storms and frigid air  
Approaching winter bids us well prepare,  
The sun retiring; scarce illumines the sky,  
Swift driving snows in circling eddies fly,  
And soon no gladd'ning ray shall gild our noon  
But from the radiant stars, or changing moon.  
While thus inactive we are doom'd to stay  
To cheer the ling'ring hours, behold a play,  
And tho' we boast not power by scenic art  
To warm the passions, or affect the heart;  
Yet here secure we tread, no critic's eye  
Is bent, with eager gaze, each fault to spy;  
Amusement all our aim, if that succeed,  
Our wish is gained, nor ask we other meed.  
But, when emerging from stern winter's tomb,  
Reviving spring shall chase the dreary gloom,  
And genial warmth, expanding o'er the plain,  
Pour melting snows in torrent to the main,  
When rustling winds, with all resistless sweep,  
Unlock the fetter'd surface of the deep,  
Then with new ardour will we onward hie  
To seek a passage 'neath this Polar sky;  
Firm in our Leaders' care, who still have shewn  
The great resolve, the daring deed their own.  
Nor, if that Power, whose providential sway  
The burning suns and meaner orbs obey,  
Approving smile, will we the task give o'er  
Till southern surges round our vessels roar;

† The part of Puff, in *Miss in her Teens*, was to be performed by Mr. Wakeham, who wrote the opening address.

‡ The day preceding that on which this address was spoken, was the last that we had seen the sun above the horizon for an interval of ninety-six days.



Then with glad sails we'll plough the foaming seas,  
Delighted, list'ning to the swelling breeze  
That swift impels us to Britannia's shore,  
To love, to friendship, and our homes once more.

SONGS.

Written for the North-Georgia Theatre, by Mr. Wakeham, and sung at  
the performance on Friday, November 5.

SONG—MR. KENE.

TUNE, JESSEY OF DUMBLAINE.

Oh! what can compare with the beams of the morn  
When the bright sparkling dew-drops bespangle the thorn,  
When Aurora's young blushes tint deeper the sky,  
'Ere the Sun's flaming orb is yet mounted on high?  
'Tis the soft smile of beauty, that beams from the eyes  
Of thy daughters, fair Albion! the land that we prize.

When distant, far distant, from all that's held dear,  
From the happy fire side, and the friend that's sincere;  
What nerves for the battle the arm of the brave,  
Or bids us encounter the storm-beaten waves?  
'Tis the soft smile of beauty, that beams from the eyes  
Of thy daughters, fair Albion! the land that we prize.

Tho' thy sons in the field are undaunted in war,  
And the fame of thy chieftains resound from afar;  
Tho' nature each charm in thine island combines,  
One ray of the glory all others outshine  
'Tis the soft smile of beauty, that beams from the eyes  
Of thy daughters, fair Albion! the land that we prize.

What leads us to traverse these regions unknown,  
And explore each recess of this dark frozen zone!  
Tho' with thirst of renown every bosom may burn,  
What reward do we hope when again we return:  
'Tis the soft smile of beauty, that beams from the eyes  
Of thy daughters, fair Albion! the land that we prize.

SONG—MR. PALMER.

Say, who but has heard that a true British tar  
Is kind to his lass, and regards not a scar?  
If assail'd by the tempest, or toss'd on the wave,  
Each nerve is exerted his vessel to save.  
He repairs to the helm to direct her aright,  
Or stands at his quarters, expecting the fight.

When duty is o'er 'mongst his messmates below,  
His mirth and good humour unceasingly flow;  
He pledges his girl in full bumpers of grog,  
Sings his song, for good fellowship ever a-gog,  
Enjoys ev'ry hour, as it passes him by  
Unwilling the moments more swiftly should fly.

When call'd by his country, he lingers no more,  
But leaving the joys of his dear native shore,  
Embarks to explore Hyperborean coasts  
Surrounded by ice, and unfettered by frosts,  
Regardless of Winter's perpetual reign,  
And prepared to encounter the boisterous main.

No toils can subdue him, no horrors appal  
A true British tar meets whate'er may befall.  
Again he shall visit the land of his birth,  
Press his girl to his heart, and indulging his mirth,  
His travels recounted—his perils told, o'er,  
Await the high calls of his country once more,

And well shall old England remember her son,  
Who has added new glories to those she has won,  
Whose keel ever daring, disparts the proud sea,  
That had ne'er borne a ship since the world 'gan to be;  
And guided by Providence still shall press on,  
Till he sounds the bleak Cape\* that has yet stopped,—each one.

Let Britons on shore, then, the bright-flowing bowl  
Fill high to the sailor undaunted in soul,  
And may he, when return'd from the toils of the wave,  
Find that Honour and Love still await on the brave,  
Who dares for his country, his friends, and his home,  
By Freedom inspired, o'er the wide ocean roam.

\* This song was received with every demonstration of interest by  
the audience, and rapturously encored.

LAW REPORT.

Court of Common Sense. In the Cause of Editor v. Non-Contributors.

His Lordship being seated, Counsellor Puzzlewill, rose and addressed the Court as follows:—

MY LORD,—I shall not occupy your Lordship's time by following my learned brother, the counsel for the Plaintiff, through the matter of fact reasoning, wherein he considers himself to have proved that, by the custom of this court, it is incumbent on my clients, "The Non-Contributors," to effect that support, &c. &c. the delay of which is the subject now before your Lordship; nor shall I question the right which he has claimed to the fulfilment of the promise which I was instructed to make, and did make, in their name. No, my Lord: however ready and able I may feel myself to controvert these points, and I doubt not to your Lordship's satisfaction, yet as my clients have thought fit rather to concede them, I shall content myself with moving your Lordship and the court, that certain affidavits be read, with which I am furnished by my clients, and which I have no doubt will be accounted by your Lordship most satisfactory reasons for the delay; and will be deemed sufficient to entitle them to such further indulgence as your Lordship shall be pleased to grant, and for which I am instructed to solicit.

The Affidavit of Little-care Leave-about.

This deponent maketh oath and saith, that after having more than half written two or three papers for the Editor's box, some evil disposed person or persons did, as he believes, during his absence on a walk, steal away from him the said papers, and that he hath never since been able to gain any intelligence of the same.

This deponent furthermore declareth, that such thefts or tricks have been so often practised upon him and his effects, that he doth no longer consider any part of his property safe out of his hands for one moment; nor is his complaint confined to the loss of property alone, but of time also, which is wholly taken up in seeking one stray article after another.

This deponent therefore prayeth the court to take into its most serious consideration the inconvenience both to himself and the public, which results from these proceedings; and that it will be pleased to take such steps as it may, in its wisdom, deem most effectual to prevent the recurrence of the said annoyance.

The court have latterly testified symptoms of impatience, his lordship motioned the clerk to suspend his reading, and asked the counsellor if he considered the remaining affidavits as containing better reasons than those which the court had already heard. The counsellor answering, "not perhaps better, but some which I trust the court will think equal to the preceding." His lordship directed that the time and patience of the court should no longer be so unnecessarily taken up, and proceeded to give the following judgment:

"That the application for further indulgence be refused, and that the defendants be allowed another week wherein to fulfil the promise made in their name; after which, any further delay was forbidden on pain of the displeasure of the court."

TRIM.

ADVERTISEMENTS.

Wanted, a middle-aged Woman, not above thirty, of good character, to assist in Dressing the Ladies at the Theatre. Her salary will be handsome; and she will be allowed tea and small beer into the bargain. None need apply but such as are perfectly acquainted with the business, and can produce undeniable references. A line addressed to the Committee will be duly attended to.—N. B. A widow will be preferred.

Wanted immediately, a few Bales of Ready Wit, done up in small parcels for the Winter Chronicle. This article being scarce in the market, a good price may be depended on. Samples will be received by A. B. Agent to the Editor.

Please to apply on or before Thursday evening next.

Lost, on Monday evening last, between the two Ships, a Part of a Letter, giving an account of the proceedings of the Expedition, with other matters of a private nature, and beginning "My dearest Susan."—Whoever has found the same, is requested to address it, L. A. Editor's box.—N. B. The letter is of no use to any body but the owner.

FOR SALE BY AUCTION.

By Nicholas Knockdown, at the Observatory, on the coldest day in January next.

A Quantity of Nankeen, the property of a Gentleman, who expected to get into the Pacific in September last.

\*. Flannels and furs will be gladly taken as part payment.

REFLECTIONS

*On seeing the Sun set for a period of three Months, Nov. 1819.*

Behold you glorious orb, whose feeble ray  
Mocks the proud glare of Summer's livelier day!  
His noon-tide beam shot upward thro' the sky,  
Scarce gilds the vault of Heaven's blue canopy—  
A fainter yet, and yet a fainter light—  
And lo! he leaves us now to one long cheerless night!

And is his glorious course for ever o'er?  
And has he set indeed—to rise no more?  
To us no more shall Spring's enlivening beam,  
Unlock the fountains of the fetter'd stream?—  
No more the wild bird carol through the sky,  
And cheer yon mountains with rude melody?

Once more shall Spring her energy resume,  
And chase the horrors of this wintry gloom—  
Once more shall Summer's animating ray  
Enliven nature with perpetual day—  
Yon radiant orb, with self-inherent light  
Shall rise, and dissipate the shades of night,  
In peerless splendour re-possess the sky,  
And shine in renovated majesty  
In yon departing orb me thinks I see.  
A counterpart of frail mortality.  
Emblem of man! when life's declining sun  
Proclaims this awful truth, "Thy race is run!"  
His sun once set—its bright effulgence gone,  
All, all is darkness as it ne'er had shone!

Yet not for ever is man's glory fled,  
His name for ever 'numbered with the dead'—  
Like you bright orb, th' immortal part of man  
Shall end in glory, as it first began,—  
Like him, encircled in celestial light,  
Shall rise triumphant midst the shades of night,  
Her native energies again resume.  
Dispel the dreary winter of the tomb,  
And, bidding Death with all its terrors fly,  
Bloom in perpetual spring thro' all eternity!

ADVERTISEMENTS.

Wants a Place, a Gentleman, who will undertake to write Doggrel Verses for the Theatre or Newspaper. Will contract to write by the foot, yard, or fathom.

Please to apply to O. P. next door to Q's Printing Office. No connexion with Simon Doggrellicus, Abert, or Q.

Wanted, for the use of the Performers, a considerable portion of assurance; also a quantity of sound retentive memory, (for repairs) at per yard. Any gentleman possessing a super-abundance of these requisites will be treated with on liberal terms.

Apply to the Committee.

An Amateur is desirous of procuring a Good Voice, with instructions for its management.

Application to be made at the Club Room, Pipe Street, prior to Christmas Eve.

A Celebrated Literary Character, has procured, during an excursion among the Stars, some very Bright Ideas, which he means to submit to the inspection of his friends and the public, in the course of the ensuing week.

A Gentleman, labouring under the inconvenience of an increasing corporation, would give his vote and interest at the next City Election to any person on removing the complaint without a reduction of diet.

Particulars may be obtained at the Pumproom, Bath.

Lost, Stolen, or Strayed a White Fox, with a long tail and a longer chain; answers to the name of Jack. As he must be somewhere on the island, or on the ice in its immediate neighbourhood, he may easily be found.

Address to G. R. No. 2, North-Georgia.

To the Manager and Committee of the Theatre Royal, North Georgia.

Gentlemen.—I am a widow, twenty six years of age, and can produce undeniable testimonials of my character and qualifications; but before I undertake the business of dressing the ladies at the theatre, I wish to be informed whether it is customary for them to keep on their

breeches; also, if I may be allowed two or three of the stoutest able seamen or marines, to lace their stays. So no more at present from

Gentlemen, your's as may be

ABIGAIL HANDICRAFT.

P. S. Could you allow hollands instead of beer? As for tea, that is no object.

To the Editor of the Winter Chronicle.

SIR,

The Committee beg you to insert the enclosed in your Paper, for which they will feel greatly obliged.

I am, Sir, &c.

SNIP QUILL-DRIVE, Secretary to the Committee.

To Mrs. ABIGAIL HANDICRAFT,

MY DEAR MADAM,

The Committee having sat for a considerable time upon your Letter, published in last week's Paper, beg me to acquaint you, that the contents have penetrated each member as food; that they feel sore at the prospect of losing your services at the theatre, which they fear will be the case, when you are informed that the gentlemen say that they can't perform their ladies parts properly with their can't-mentionums on. The Committee, however, hope that this will not prevent you from accepting the office.

They desire me to add, that two stout able seamen shall attend you with marine spikes, levers, and white-line; and that gin, instead of beer, at your request, will be allowed, upon promise that you give not a drop to the actresses, as the consequences, you must be aware, may greatly retard the performances of the piece.

I have the honor, to be, Madam, &c.

S. QUILL-DRIVE, Secretary.

ADVERTISEMENTS.

An Amateur, who has generally had female characters assigned to him, is desirous of receiving a Few Hints on the most becoming attitudes, actions, and articulations, for a woman of Fashion, also, on the most approved method of obtaining the fashionable stoop, without appearing round shouldered.

Application to be made at No. 2, Ordnance Square.

This is to give notice, that a couple of fine Calves have within the last week, been grazed by Deal Board, Carpenter, who resides at the foot of Hatchway Passage, and that they were carried away from thence by a stout man, to be dressed; but it was supposed that they would produce more *wool* than *wool* to the thief, as they were thought to be the identical Calves that had strayed from No. 1, Bell-lane.

REFLECTIONS

*On the Morning of Christmas Day, 1819, North-Georgia.*

Rich from the blushing East no glory darts,  
To chase the shadowy night; but all is gloom,  
Save where the moon's young crescent o'er the snows  
Emits a trembling radiance, faintly seen  
Through mist obscure; or sparkling seen on high  
The countless myriads of the stars diffuse  
Their distant, glimmering, scarce enlightened rays!  
Behind yon cloud a stream of paly light\*  
Shoots up its pointed spires, again immersed,  
Sweep forth with sudden start, and waving round,  
In changeful forms, assumes that brighter glow  
Of orient topaze, then as sudden sinks,  
In deeper russet, and at once expire!  
Here then we view, in Northern Isle immured  
Midst ceaseless drifts and long endured ice,  
The wonder of His power, whose awful voice  
Spoke Earth into existence, and the sun,  
That now, Britannia! o'er thy favor'd land  
Lights up the day through Winter's cheerless reign.  
Hail, sacred hours! that to my mind recalls  
His wondrous goodness, His, the Great Supreme!  
Once was thy morn in other splendour drest,  
When to the shepherd-train's astonish'd eyes  
Celestial glory shone, and angel choirs  
Hymn'd the Messiah's birth in songs divine!  
And shall not man prolong the wondrous strain?  
For whom this mightiest, greatest work was done,

\* Aurora Borealis.

Yes, whether bord'ring on the Icy Pole,  
Or where the genial ray with fruits and flow'rs  
Bedecks the pendant bough, or paints the vale,  
Still let the hymn of triumph rise on high,  
The hymn of grateful joy incessant rise  
To Jesu's name, our Saviour and our God!  
Who laid his glory by, and wrapt in flesh  
Our natures shared, exempt alone from sin,  
For purposes of love; to save mankind  
To raise us to a higher state of bliss  
Than in primeval innocence enjoyed  
Our great progenitor—fruition pure,  
Eternal full immeasurable joy!  
Still as expiring years shall roll along  
Be this our theme, when wintry skies proclaim  
This sacred day's return: and higher thoughts  
Than sordid pleasures fill our tongues with praise,  
Our hearts with love, our bosoms with desire  
To live to him, who gave his life for us,  
While yet we are on Earth; and when at length  
The hour that frees th' imprison'd soul shall come,  
Calm, may we view the stern approach of Death  
But parting from a world of painful toil  
To dwell for ever near Jehovah's, throne!  
To whom be glory, pow'r, dominion, praise,  
Ascribed for ever, and for evermore!

NEW YEAR.

*Thoughts on New Year's Day.—A. D. 1820.*

The moments of chaste'd delight are gone by,  
When we left our loved homes o'er new regions to rove,  
When the firm manly grasp, and the soft female sigh,  
Mark'd the mingled sensation of friendship and love.  
That season of pleasure has hurried away,  
When through far stretching ice a safe passage we found,\*  
That led us again to the dark rolling sea,  
And the signal was seen "On for Lancaster's Sound."†  
The joys that we felt when we passed by the shore,  
Where no footstep of man had e'er yet been impress'd,  
When rose in the distance no mountain tops hear,  
As the sun of the evening bright gilded the west;‡  
Full swiftly they fled, and that hour too is gone.  
When we gained the meridian assign'd as a bound,§  
To entitle our crews to their country's first boon,  
Hail'd by all as an omen the passage was found.  
And past with our pleasures, are moments of pain;  
Of anxious suspense, and of eager alarm—  
Environ'd by ice, skill and labour were vain,  
The swift moving mass of its force to disarm,  
Tho' dash'd on the beach, and our boats torn away,  
No anchors could hold us, nor cable secure;  
The dread and the peril expired with the day,  
When none but high Heaven could our safety ensure.  
Involved with the ages existent before,  
Is the year that has brought us thus far on our way,  
And gratitude calls us, our God to adore,  
For the oft renew'd mercies its annals display;  
The gloomy meridian of darkness is past,  
And ere long shall gay Spring and the herbage survive,  
O'er the wide waste of ice shall re-echo the blast,  
And the firm prison'd Ocean its fetter shall rive.  
Now dawns the New Year! but what mind can expose,  
The events that await us before it expires?  
In the Isles of the South to remember its close,  
Or in regions of frost morn our frustate desires!  
Yet Hope points the track that our vessels shall force,  
Till Pacific's wide ocean around us we view;  
Bright Hope shall expand as we follow our course,  
And the dangers we met but our courage renew,

\* Our ships were the first that succeeded in effecting a passage to the westward, through the ice which occupies the middle of Baffin's Bay in the early part of the summer.

† Telegraphic signal made by the Hecla, after breaking through the first barrier of ice.

‡ The evening was beautifully clear when we sailed over the spot assigned to Croker's mountains.

§ The meridian of 110° west, which entitled us to the first reward of £5,000.

The friends we have left, at this season of mirth  
Do their bosoms or pleasure or anguish sustain?  
Do they deem us yet safe in these wilds of the earth,  
Or whelm'd in the surges that winter the main?  
No longer they now can expect our return  
No longer they mark ev'ry change of the breeze;  
But the thought of despair fond affection will spurn,  
And confident rest on Almighty decrees!  
With them we but share the proud hope of success,  
And look forward with joy to the days yet to come;  
When, the heart overflowing, warm tears shall express  
How sincere is the welcome that greets us at home;  
Be happiness theirs while we severed remain!  
Be fortitude firm, and exertion, our own!  
Till the shores of Old Albion once more we regain,  
Once more to enjoy every bliss we have known.

CORRESPONDENCE.

*To the Editor of the Winter Chronicle.*

SIR,

It is not to be wondered at, that our having observed, on Wednesday last, the greatest degree of natural cold ever before recorded,\* should have excited a considerable interest in the minds of your Correspondents; for, independently of its being an interesting fact in the history of our voyage, it seems to have served the useful purpose of relieving us from that dull monotony, with which, for some weeks past, one day has succeeded another. Nor can any thing be more natural, and I may justly add, more praise-worthy, than the eagerness with which it has been debated at our tables, whether the thermometer stood at 50½, or 50¾, that is, whether we beat the rest of the world by half, or by three quarters of a degree! I have even heard it asserted by one gentleman, who seems determined to hand our names down to posterity with all the honour which extreme frost can confer, that the thermometer actually and fairly, and without any fudging, or wincing of an eye, stood at—51 for upwards of half an hour! In order to decide the matter, I beg to make your readers acquainted with the result of some very careful and minute observations made by myself on the only two thermometers used on that eventful day. They were made with one of Dolland's eight-feet achromatic telescopes, of great magnifying power, with a micrometer-scale applied to it by myself in a very ingenious manner, by which I found thermometer No. 1 to intimate 50° 615", and No. 2, 50° 645". The mean of these, viz. 50° 730" may, I think, be fairly stated as the actual degree of cold to be registered. I trust, Sir, that the care with which these observations were conducted, the excellence of the instruments employed, and my well-known skill in those matters, will be sufficient to set this most interesting and important question at rest for ever; and that your readers will be satisfied that they have as yet outshivered the rest of the habitable globe only by 730-thousandth parts of a single degree of Fahrenheit's scale.

I am, Mr. Editor, your modest, humble Servant,

SIMON SET-RIGHT.

\* Fifty degrees and a half below zero; this, however, is not the greatest degree of natural cold on record;—57 is said to have been observed by Mr. Von Etterlein, at Bytigra in the Russian dominions, on the 5th of January, 1780.—Ed.

P.S. Being desirous to add all in my power to our frigorific fame, it is my intention to renew my observations whenever the thermometer again falls below par, and I doubt not I shall be able by means of some improvements now in hand, to screw out another quarter of a degree of cold, for the benefit of our meteorological journals.

Since writing the above, I have re-examined my instruments, and I think I have discovered an index error of two thousand-parts nearly. I cannot refuse myself the gratification of assuring your readers that this error is additive, and therefore all in our favour.

OBITUARY.

On Monday, the 9th instant, between the hours of six and eight in the morning, died, in the prime of life, John Gull,\* a youth of very promising talents and extraordinary endowments. He was descended from an ancient and respectable family in the north, and was on his travels to see the world, accompanied by his twin sister, when he was suddenly snatched away, leaving her to deplore his irreparable loss. It is supposed that had he lived to reach England, he would have obtained one of the first situations vacant in the British Museum.

\* One of a pair of Glaucous Gulls, which had been taken from a nest on one of the North Georgian Islands in the summer, and brought up on board; when full grown they shewed no disposition to quit the ship.



# ASIATIC DEPARTMENT.

—93—

## LETTER XI.

### Judicial System of India.

(Note.—By an accidental misplacing of these Letters, the Numbers of the Series have not followed in the order in which the Author intended them to appear.—Letters IX and X should have been VIII and IX, and have closed the subject of the Interior Administration in the Mofussil Courts. The Letter printed as No. VIII, should have been No. X, as commencing the subject of the Supreme Court at the Presidency, after which this Letter (No. XI) should immediately follow.—Those who feel an interest in the subject, and desire to preserve the order of succession complete, will find on a reference to No. VIII, at page 41 of the present month, the Letter that should have immediately preceded this.)

To the Editor of the Calcutta Journal.

SIR,

The most natural course in dividing the Supreme Court as it now stands into two distinct Tribunals, would be to separate the Equity, Ecclesiastical, and Vice-Admiralty (civil) sides from the Pleas, Criminal, and Admiralty (criminal) branches of the Jurisdiction; placing the former under a distinct Judge, who would appropriately be styled Chancellor of India, and take rank and precedence of all other Judges. Besides discharging directly and for Bengal, all those branches of Judicial duty at present transacted in the Supreme Court in its distinct capacities as a Court of Equity and of Civil and Canon Law, and by one of its Judges in quality of Commissary of the Vice-Admiralty Court, it is proposed that the Chancellor shall sit as a Judge of Appeal, in all cases whatsoever that are now appealable to His Majesty in Council from any of the King's or Company's Courts in India. Nothing can be less satisfactory to all concerned than the existing system of Appeal to England, owing to the distance, the length of time that elapses before ultimate decision, and the singular constitution of that Section of the Privy Council which officiates in a Judicial capacity.—No one knows who the Individuals may be, that are to sit on judgment on his case; they are not paid for their attendance; they appear or not in their places according to caprice or convenience; they hold their seats during pleasure, and may be summoned or forbidden the Council Chamber at the will of any dominant party; the time and place of their sitting is a matter of private arrangement among themselves and with the counsel who are to plead.—In short there is nothing fixed and responsible in this Tribunal, nothing like any other Court in England, and it cannot too soon be superseded by some more formal and regular establishment either in India or England. A single Judge endowed with appropriate rank and adequate salary in London or in Calcutta, who should bestow his undivided attention on these Colonial Appeals, would give much greater satisfaction to all parties, than even the House of Lords where the Lord Chancellor is in point of practice the real single Judge. But that august body is unable to get through the Appeal-file from Scotland alone, and is quite incapable of undertaking those from India in addition. On the whole it would seem that a Court of Appeal sitting in Calcutta is greatly preferable to any other mode of settling these protracted suits, and the only doubt seems to be whether the Indian Chancellor would be able to get through the whole of the Appeals from the different Presidencies.

At Madras, Bombay, and Penang, the Courts are not by any means so oppressed with business as the Supreme Court of Calcutta. The Societies over whose disputes they have to preside are far less numerous, and the mercantile concerns in particular much less extensive than in the metropolis. There would be no necessity therefore to disturb the existing frame and jurisdiction of the King's Courts at those Presidencies, for the present at least: the day however will yet come, and soon, it is to be hoped, when an increased influx of Colonists will introduce capital and its accompaniment prosperity, into those countries, and when it will become desirable in consequence, to multiply Courts and split Jurisdictions as in Bengal.

It is not proposed to diminish the actual number of Judges in the Supreme Court, after the separation of the Court of Chancery

with the Equity and Ecclesiastical business. Enough, and more than enough of employment will remain for the Chief Justice and his two brethren in the Criminal and Common Law branches; indeed it would be better to restore the fourth Judge in the present flourishing state of the Revenue instead of sacrificing him as a pensionary peace-offering to ostentatious and misplaced economy after a fashion that prevailed (where India only was concerned) during the long reign of the arch Charlatan, old Harry Dundas. Less than three Judges should never be on the Bench. The fourth Judge is required to keep up the *minimum* complement of three effective voices in a sickly climate, or to supply casualties at Bombay; and he might be exceedingly useful in chambers, or to preside at Quarter Sessions for the trial of assaults and petty offences, when that worshipful Court shall revive from its present defunct condition, in times more propitious to old-fashioned and popular institutions.

It is impossible in the compass of hasty and fugitive Letters such as these, to do more than briefly sketch the outline of improvements which suggest themselves as worthy of early consideration by the only power undeniably competent to carry such things into effect; we may add, with regret, the only power that has shewn much desire to do any thing effectual and on a great scale for India. If the time shall ever return, when Parliament is to think of other things than *Outs* and *Ins* and party squabbles for place, then future *Burkes* and *Foxes* will again stand forward to devote their days and nights, their experience and wisdom and eloquence to the task of legislating for the improvement of these magnificent dependencies of England, instead of surrendering them to the cupidity and narrow-mindedness of a minister and his followers as if they belonged not to the general Empire, and were of no value unless they produced more or less of that monstrous birth "Surplus Revenue."

In most of the British colonies in the western world, the Governor for the time being holds a commission as Chancellor; in India this practice has been departed from, probably because the Governors are not directly named by the Crown. But whatever be the reason, it is a usage more honored in the breach than the observance in India; since even if he could devise leisure for such employment, the decisions of a Civil or Military Governor not commonly habituated to Judicial studies, could not be so likely to satisfy suitors, as those of regularly bred Judges. Another prerogative exercised by Governors of Royal colonies, and connected with Judicial functions, is that of remitting and commuting sentences. At the expiration of the Honourable Company's Charter, when Indian Governors like those of other dependencies shall hold their authority direct from the Crown, it will follow as a matter of course that this Vice-regal prerogative will pass into their hands: but even now it does seem highly expedient that the power of pardon enjoyed by every petty ruler of the most paltry Bermuda or Bahama Island, and held by the Chiefs of Ceylon and Mauritius, should be possessed by the Company's Governors, or at least by one of them, the Governor General, for the whole of the Presidencies. The distinction between King's and Company's Governors has long been a mere fiction of Law—a nominal difference—since the establishment of a Controlling Board of His Majesty's Ministers with whom as Sir John Malcolm justly observes all the *real* responsibility has rested since 1785. When it is considered that Company's Governors *do* possess this power over the millions that reside beyond the insignificant spaces occupied by the three chief cities, and that a similar power in all military cases is exercised by the Commander in Chief (as representative of the Sovereign) it cannot but appear absurd that the small class of civil European offenders and Native criminals within the city boundaries, should form an exception. If any Regal Etiquette precludes a Company's Governor as such from holding this power, the remedy is easy, in a special commission, or warrant under Sign Manual to the Governor General, for the time being.

It ought to be stated here, in justice to the King's Judges, that so far from abusing this power to the purposes of undue severity, they have for a very great number of years exercised it with the most tender and scrupulous humanity. But the principle

is erroneous, that the same authority which tries and condemns, should also be the arbiter of mercy: it precludes the culprit from the benefit—under one supposition,—and society from the protection—under another—of a second or reviewed consideration of every case. Judges and Governors are but fallible men; and it is to guard against error that restrictive laws are made. In the most flagrant case which disfigures our Indian Records, NUNDOO COOMAR's life would probably have been spared, if it had been the province of Mr. Hastings (a personal enemy) to sign the warrant for his death, instead of the Judge who tried and condemned him. During the melancholy troubles on the Coast at a later period, the Government would have identified itself less incautiously with the trials in Court, and would have abstained from intimidating Jurors and persecuting supposed opinions, if it had held in its own hands the power of remitting sentences considered unjust, instead of being dependent on a bench of two and the life of one Judge\* who favored its party views. It is the business of legislation to multiply the guards against injustice, and the warnings of experience should lead to provision against possible though improbable contingencies. Perhaps from the very nature of our free constitution, no Englishman can be safely trusted with unrestrained power in matters connected with party-feeling:—the judgment of the most honest is liable to imperceptible bias, and the most flagrant wrong may be perpetrated under the conscientious belief of rectitude, or some fatal modification of the dangerous sophism that good ends justify doubtful means. India is rapidly expanding into importance, and as she assimilates more and more to her great Political Parent, will naturally testify an impatience of the bandages and leading-strings of infancy, which will as naturally be resisted by the fears and the caution of her Guardians.

It is better for all parties, and indeed seems to be a wise and providential ordinance, that the evil of a too rapid and precocious maturity should be prevented by this alternation of impulse and check; for ultimate and solid progress is not prevented, unless irregular and strong re-action be excited by the habitual proneness of every mother-country to retain forcibly the restraints of childhood when the period of prudent relaxation has arrived. Men of more sanguine or phlegmatic temperaments will differ as to this period, and will apply these familiar maxims and trite similes according to their particular views of the signs of the times. But as prudent legislation should anticipate and not wait for events, it may be better that no time should be lost in vesting the delegated prerogative of Pardon in the hands of the Rulers of the State, the natural and legitimate depositaries of that power. Political prosecutions have fortunately been little known to India heretofore: but it is not in the nature of English institutions that we can be much longer strangers to such things. If ever the scenes of guilt on one side and impolitic violence on the other that disfigured our Indian history thirteen years back, should unhappily be revived, unlikely as such a contingency is; or if from whatever accidental causes, petty party disputes should be imprudently blown into the unnatural importance of state quarrels; if indirect rewards and punishments should come to be distributed among partisans, and any thing approaching to Political Persecution or a Reign of Terror should arise among us, it will be better for all concerned that the Chief Authorities of the State should be in possession of the sole power to execute or remit the sentences of the Courts below. The proper and only function of these Tribunals in such cases, should be that of distributing impartial Justice according to Law, whether between man and man, or between Individuals and the Public. It is the sole province of the Executive authority to judge of the expediency of executing or remitting the rigour of law; and this power should be fearlessly but humanely exerted under single, and not divided responsibility. In the present anomalous state of things, a mild administration may be deterred from ordering a most expedient prosecution, because it possesses not the power of staying execution, though it would consider its object gained by obtaining a mere inoperative conviction; it may shrink from trusting the fate of an Individual to the dispo-

sition or political theories of others over whom it has no controul. Or a reversed case may be supposed, when a particular state of party-feeling in a small society, might deter from just prosecution, because a supposed bias elsewhere ensured triumph and escape. A Judge too, might be conceived to take a more or less rigorous view of a case according as he knew that the ultimate infliction of the penalty depended on himself, or on the tender mercies of others. Under such perplexities, Mr. Hastings tried one notable expedient, avowedly to neutralize vexatious opposition. The days for such things are as much gone by as those when it was believed that Sir Robert Walpole used to place a purse of gold under a refractory M. P.'s plate at a ministerial dinner: but all temptation to use indirect influence, even of argument, to bring a sturdy or obstinate Court into coincidence with the views of the most just and humane of conceivable Governments, ought to be eschewed; and there ought, according to sound old English maxims, to be no communication at all between such parties. And the best expedient perhaps for putting things on the most desirable footing is to give the Government the sole power of pardon; so that it may be armed with the fullest power to protect itself, subject to the sole responsibility.

Although the strongest objections exist against any communication between the Executive power and the Common Law Judges, and although this is a sufficient reason for excluding the Chief Justice from a seat and voice in the State Councils, (contrary to the usage in Ceylon as well as every other Royal Colony) the same objection would not necessarily hold good against giving such a place to the proposed CHANCELLOR, whose functions as a Civil Judge in Equity or Appeal, are not likely to interfere with his political station as a consulting Member of Council. The presence of that personage might be of the most material service to the state deliberations in the preparation of laws and all matters connected with the administration of Justice or dispensing of mercy. His elevated station, legal experience, and personal responsibility and character would give an impress of gravity and weight to any proceedings of Government at all connected with law; and in particular would make him a more steady and becoming official counsellor of last resort in state prosecutions than the individual who is to carry them through when resolved on. A stipendiary public prosecutor must always be pulled different ways by conflicting interests, until human nature undergoes some change; or the genius of ROMILLY and MACKINTOSH multiplies on the face of the earth. Either it is his interest to save himself the trouble and odium of prosecuting, or to vindicate his judgment he carries into the battle a strong personal feeling that may facilitate, but may also impede his victory: in either case he strays from the dignity of his high function. If the selection for this important post were left with the local Government, this matter would be managed better than it now is; for the choice would of necessity fall on a barrister of standing and experience in the country. There has been nothing to object to as yet, in the selection for this office from home, save this single want: but it is one of considerable moment. The individuals sent out have *always* been men of the highest personal and professional character; of which the best proof is, that they have naturally fallen into the place they would have filled as "Leaders, even without the advantages of their potent of premeditation. They have been pretty fairly selected, too, from the adherents of various political creeds and parties. But the post is one which absolutely ensures a very large fortune in a very few years; to abridge this period of exile within the narrowest limit must inevitably be the grand concern of life. They are immersed, from the hour they reach the capital—nay even before they reach it—in incessant occupation, which never relaxes to the instant of their departure. Excepting therefore, that their vacation is so honorable, and their fortunes acquired by the most creditable and intense industry, they remind the observer, of BURKE's comparison of the succession of European adventurers in India, to the incessant rolling in of the waves of the sea on that devoted country. These new-comers arrive and depart after a brief sojourn: they have no leisure to acquire sympathies and connections in this caravanserai; no time to study its history, relations, or

\* See the Madras Papers laid before the Parliament, in 1810 and 1811



inhabitants (excepting the client class) to mark its advancement, note the effects of time and changes on the structure of its heterogeneous society, or build castles in the air for its future improvement. They are strangers in a crowd: the city is no better than a desert to them; passing events and the news of the day are scarcely noticed or known. They have a little world and vicinage of their own; black gowns and black coats, and often very black visages, are its population; motions, bills, cross bills, and cross-examinations are their daily politics and mental aliment: at length when they have strutted and fretted their little hour on this stage of their transitory career, they gladly shuffle off this mortal coil, and are gathered to their predecessors in England to think of India no more. Yet these gentlemen are good lawyers, and truly honorable men; and they might rise to be great and distinguished benefactors to this country under a better system. The fault is not theirs, but that of the universal thirst for patronage at home which deems nothing too small to be neglected. An Advocate General selected by this Government, must have had ample time for general observation of men and things in this strange region, while practising as a Junior Counsel. An India Judge, though it is generally desirable that he should have previously practised at this Bar, has some leisure for observation and reflection. A Leading Counsel has not one moment to spare for such things; and as an Advocate General is in this position, he ought to rise from below to fill his great office, instead of starting at once into it, armed with its powers and privileges, even were he endowed with the attributes of the Goddess of Wisdom, or produced from the front of Jove himself.

PHILOPATRIS.

## Supreme Court.

CALCUTTA, MONDAY, JANUARY 7, 1822.

The following is a Report of part of the proceedings in the Supreme Court, on the first day of Term, which for want of room, we were unable to insert yesterday:—

Mr. D. DRUMMOND made a representation to the Court, regarding the hardship to which those persons are subjected, who are obliged to serve on Petit Juries, under a heavy fine for non-attendance, while a great number of others, equally eligible and liable to serve, are not summoned at all. He presented a Letter, addressed to the Honorable Chief Justice, stating his grievances on this subject, which was couched in the following terms:—

To the Honourable Sir Edward Hyde East, Knight.

My Lord,

Most respectfully I beg leave to inform your Lordship, that on the — day of — I was arrested in consequence of a writ of the Supreme Court, for sicca rupees one hundred, for my non-attendance as a Juror on that day. I beg leave most humbly to remonstrate to your Lordship against such a proceeding:—

I have been for these eight years an inhabitant of Calcutta; and during that period, have been constantly summoned as a Petit Jurymen, and have as constantly attended. During the year 1821, I attended on three Sessions, which was not the lot, I believe, of any other person in the Presidency. It appears however that some day in the last Session when my name was balloted I did not answer. Perhaps I was a minute too late in arriving: I know that one day I was unable to attend from sickness, the proof of which I can adduce. Of this I am certain, that I have been a faithful and regular Jurymen as the records of your Honourable Court will show.

I do not, however, come now before your Lordship merely to request that I may be remitted a fine of one hundred rupees, and twenty six rupees of costs; but to complain to your Lordship of the grievously partial, and, in my most humble opinion very illegal mode by which Calcutta Juries are selected. The same persons, my Lord, with very few exceptions are summoned every alternate Sessions; which would imply that the eligible

population of the Presidency amounts only to one hundred and forty four: while there are four times that number who never serve on any Jury, and who would conceive it the highest insult to be classed with the low and illiterate men, (as they are all conceived to be,) who constitute the Petit Jury. It may surprise your Lordship to be told that the term "Petit Jurymen" is, in Calcutta, synonymous with every thing mean and vulgar; but when your Lordship is informed that very few who are called respectable are ever seen there; and that Boys, Foreigners, Convicts, Lunatics, Drunkards, and men who cannot decypher the Alphabet, have been frequently placed in the chair of deliberative justice, that surprise will cease.

My Lord, I do solemnly believe that the Sheriffs of Calcutta interfere in no degree whatever with the important office of returning a Jury. Each lays his hand on the lists of his predecessor; and unless some of the Bailiffs suggest new names, which are generally those of new comers, the whole duty is thus perpetuated on the heads of a few: the same persons are regularly summoned again and again during their existence,—and not unfrequently long afterwards.

Besides, my Lord, the extreme hardship of being compelled to attend two Sessions in every year, when four-fifths of the population are never required to attend at all, it may be extremely painful for an educated man to be compelled to associate in the Jury-box of this Honorable Court with such characters as I have already described; and I leave it to your Lordship's superior understanding how far the ends of Justice are accomplished by such amalgamation.

My Lord, I claim no exception from the office of a Petit Juror. To be clothed in that character is the proudest attribute of a Briton; and if the duty were impartially distributed, he is unworthy of that name who would not cheerfully sacrifice much convenience for its sake;—but conducted as it is, the task is indeed, my Lord, most painful and humiliating.

I assure your Lordship I only speak the sentiments of all the Jurymen I have ever conversed with on the subject;—and for the truth of this I may appeal to those who are now present. Complaints "not loud but deep" have been long accumulating: I have too much veneration for the character of a British Judge, and too great a respect for this Honourable Bench to conceive that your Lordship will impute blame to me for thus openly declaring mine.

I am ready to substantiate all I have asserted whenever your Lordship may deem it proper to give me an opportunity; and, with the greatest respect,

I am, My Lord, your Lordship's most obedient, humble Servant,

Calcutta Jan. 7, 1821. (Signed) D. DRUMMOND.

The Hon. CHIEF JUSTICE expressed his opinion that the complaint Mr. Drummond had made as to the hardship of a few individuals being compelled to sustain the whole weight of the duties of the Petit Jurors, while others were not summoned to give their services at all, was very just; and he did not see any reason whatever for the invidious distinction made between Grand and Petit Jurors. In order to prevent the evils that might arise from the negligence or favoritism of the Officers entrusted with returning the Jury, he called upon the Gentlemen of the Jury generally to lend their aid in rectifying the grievance complained of. His Lordship would be obliged to any one of them who should take the trouble to assist in rectifying it; and if during the Session the Gentlemen serving on the Jury would all co-operate in finding out and making up a list of all the persons liable to serve as Jurymen, and give the same to him, his Lordship would communicate it to the Sheriff and see that he did his duty. His Lordship had not power to order; but he would recommend (as far as that would go,) all such persons as were eligible to be regularly summoned.

On the Petit Jury being put into the Box, the Crier of the Court proceeded to administer to them the usual Oath; but —



DAVID MACKAY, a person whose religious opinions, we understand, bring him under that denomination of Christians called Independants, refused to take the Oath, because contrary to his conscience and his religious belief.

The Honorable CHIEF JUSTICE informed him that he (his Lordship) did not sit there to make the law, but to see it duly executed; and he (Mr. Mackay) must conform to the established regulations of the Court.

Mr. MACKAY then stated that he could not comply with the form required. In taking the Oath persons were required to kiss a Book which expressly forbade swearing altogether, as he was ready to show, if his Lordship had any doubt on the subject, by referring to the passages in the Book itself.

The Honorable CHIEF JUSTICE reminded him that as it was not the office of the Judge to make the law, it was quite unnecessary to argue the point; and if he would not conform to those laws under the protection of which he lived, he must take the consequences.

Mr. MACKAY—"Although your Lordship were to hold up Bengal in the one hand, and the Inquisition on the other, I would not be moved by hope or fear to take an Oath contrary to my conscience. ALTHOUGH YOU WERE TO TEAR ME TO ATOMS! I would not swerve from my religious principles. It has been well known for the last four years that I had objection to the Oath in question. I have no objection whatever to serve on the Jury; but I can on no account take the prescribed Oath."

The Honorable CHIEF JUSTICE informed him that if he would not serve according to the regulations of the Court, he must be fined; and he was accordingly fined 200 rupees.

J. B. East, Esq. resigned the Office of Counsel for Paupers, which was conferred on George Money, Esq.

#### CALCUTTA, TUESDAY, JANUARY 8, 1822.

This-day, two Natives were tried and found Guilty; the one for stealing, and the other for receiving stolen goods. When the business of the Court was concluded, Mr. Draper, a Jurymen, addressed himself to the Honorable Sir FRANCIS MACNAGHTEN, the only Judge on the Bench, and requested his Lordship to take into consideration the very great grievance, under which they, the Jurymen, laboured, by being called upon so frequently to attend this Court as Jurymen. This grievance, he hoped, might in some degree be mitigated, by allowing that class of persons, vulgarly called "Country-Borns," to sit as Jurymen. His Lordship replied, that he had had a private conversation with a leading Gentleman of the class alluded to, on this subject; and his Lordship had assured him, that he was ready to do every thing in his power, at all times, to facilitate the object in question; but he was afraid no specific remedy could be had, until the matter was decided by the proper authorities at home.

This-day, Mr. William Tate was admitted on the Roll of Attornies and Proctors of this Court.

#### Births.

On the 7th instant, Mrs. JOHN BURROW, of a Daughter.

At Mhow, Malwa, on the 22d ultimo, the Lady of Captain R. W. SMITH, 6th Regiment of Bengal Cavalry, of a Daughter.

At St. Thome, Madras, on the 21st ultimo, Mrs. G. E. ASKIN, of a Daughter.

At the Luz, on the 21st ultimo, the Lady of FREDERICK ALEXANDER, Esq. of a still-born Daughter.

#### Deaths.

At Chandernagore, on the 6th instant, Mr. F. LESPIAU.

On the 23d ultimo, of the Croop, Miss C. L. MORGAN, aged 15 years and 10 months, sincerely regretted.

On the 23d ultimo, at Myanauggur Factory, in the District of Purneah, the infant Son of Mr. GEORGE SHILLINGFORD, aged 12 days.

#### Anacreon.

TO CUPID'S DARTS.—"αἶψά τ' αὖ τὸ ἔρωτος βέλος.—ODE XLV"

In Lemnian fires, the son of Jove  
Was forging steely darts for Love.  
Venus the barbs in honey dipp'd;  
Their points, with gall, sly Cupid tipp'd.  
Mars chanc'd, from battle to appear,  
Fierce brandishing a massive spear.  
The puny shafts his laughter move,  
Are these the direful arms of Love!  
By Mars, be first this arrow tried,  
Tho' small, 'tis heavy, Love replied.  
Gradivus took the dart revil'd;  
Gay Cytherea softly smil'd.—  
'Tis weighty, sighs the God of Fight,  
Oh! take it, Cupid, from my sight;  
Cries Love, nay, keep the weapon light. }

Lucknow, Dec. 30, 1821.—On the night of the 26th instant, a most daring outrage was committed in the Military Cantonment of Lucknow. About 11 p. m. a Banditti, consisting of about 50 or 60 men, entered the above Cantonment with lighted torches, and attacked the Bazar of the 2d Battalion 9th Regiment Native Infantry (which Bazar is contiguous to the lines of that Corps). After placing parties in the different avenues, they proceeded to the work of plunder and death. In the course of a few minutes they plundered the Banyahs, &c. of property to the amount of about three thousand rupees, killed 3 men, and desperately wounded 14; and, strange to say, made off with their booty, without meeting with the least molestation.

Calcutta.—On Sunday last, His Majesty's Brig WIZARD, commanded by Lieutenant Greville, when getting under weigh, about 4 o'clock in the afternoon, with a strong northerly wind and ebb-tide, unfortunately got ashore on the bank, a little below the break-water, abreast of the Fort. After larding the treasure she had on board, and lodging it in the Garrison, she got off about 11 o'clock at night; but in the act of dropping up with the flood-tide, she unfortunately got athwart hawse of the GUIDE, Pilot Vessel, broke her adrift, and went in company athwart hawse of the Pilot Vessel FLORA, carried her adrift also, and all three in company, got foul of the TORCH floating light vessel. The Gun-Brig and the two Pilot Vessels, sustained considerable damage in ropes, spars, &c.

On Saturday last, (5th instant), Hurree Mohun Takoor, Goopee Kishun Deb, Rada Madub Bonnerjee, and several other respectable and opulent Natives, waited upon the Honorable Sir Edward Hyde East, Chief Justice of the Supreme Court of Bengal, Behar, and Orissa, for the purpose of ascertaining when it would be convenient for him to receive the Address which they intend to present him, before his departure, expressive of their feelings towards him. This Address, we understand, is to be written in three languages, English, Bengalee, and Persian; and it will be presented on Tuesday next, the 15th instant.

Madras, Dec. 15, 1821.—The PALMIRA has arrived at Trincomalie from England and the Cape. She has had a long passage. About 157 letters from the former and two from the latter place were received by tappal on Saturday. Letters from the Cape mention that the CALEDONIA continued her voyage on the 18th of September. Mr. Binny, we are glad to say, had greatly recovered, and all the other Passengers were well and happy.—Courier.

#### Marriage.

On the 8th instant, at St. John's Cathedral, by the Rev. J. PARSON, Mr. J. W. LOWRIE, to MARV, the eldest Daughter of Major ROBERT DURIE, of His Majesty's 24th Regiment of Light Dragoons.

#### HIGH WATER AT CALCUTTA THIS DAY,

Morning..... 4 57  
Evening..... 5 22



Plat. LXVII.



QUEEN CAROLINE.  
*First published in London during her Trial in 1820  
and now republished in Calcutta 1822  
For the Calcutta Journal.*



